

<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371</b>		ATTORNEY'S DOCKET NUMBER SEM-0005 U.S. APPLICATION NO. (If known, see 37 CFR 1.5) <b>10/535192</b> NEW APPLICATION
INTERNATIONAL APPLICATION NO. PCT/JP2004/010724	INTERNATIONAL FILING DATE 28 July 2004	PRIORITY DATE CLAIMED 1 August 2003
TITLE OF INVENTION    FUEL CELL OPTIMUM OPERATING POINT IN POWER SOURCE DEVICE USING FUEL CELL, POWER TRACKING SYSTEM, AND POWER SOURCE DEVICE HAVING FUEL CELL OPTIMUM OPERATING POINT TRACKING SYSTEM		
APPLICANT(S) FOR DO/EO/US    Kimiyoshi Kobayashi et al.		

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371 (f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371 (c)(2))
  - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☒ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ An English language translation of the International Application as filed (35 U.S.C. 371 (c)(2)).
  - a. ☒ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).

**Items 11 to 20 below concern document(s) or information included:**

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A preliminary amendment.
14. ☐ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☐ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
18. ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information: Return Receipt Postcard; Submission of certificate of limited recognition; Copy of WO 2005/013401 A1 and Form PCT/IB/311

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

U.S. APPLICATION NO. (if from PCT Article 17(1)(b)) <b>10/535192</b>		INTERNATIONAL APPLICATION NO. PCT/JP2004/010724		ATTORNEY'S DOCKET NUMBER SEM-0005	
The following fees have been submitted				CALCULATIONS	PTO USE ONLY
21.	<input checked="" type="checkbox"/>	Basic national fee .....	\$300	\$ 300.00	
22.	<input checked="" type="checkbox"/>	Examination fee			
If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4) .....			\$100		
All other situations .....			\$200	\$ 200.00	
23.	<input checked="" type="checkbox"/>	Search fee			
Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority .....			\$100		
International Search Report prepared and provided to the Office .....			\$400		
All other situations .....			\$500	\$ 400.00	
TOTAL OF 21, 22 and 23 =				\$ 900.00	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
49 - 100 =	/50 =		x \$250.00		
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492 (e)).				\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	27 - 20 =	7	x 50.00	\$ 350.00	
Independent claims	1 - 3 =		x	\$ 0.00	
MULTIPLE DEPENDENT CLAIM(s) (if applicable)			+	\$	
TOTAL OF ABOVE CALCULATIONS =				\$ 1,250.00	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.				\$	
SUBTOTAL =				\$ 1,250.00	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492 (f)).				+	\$
TOTAL NATIONAL FEE =				\$ 1,250.00	
Fee for recording the enclosed assignment (37 CFR 1.21 (h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				+	\$ 40.00
TOTAL FEES ENCLOSED =				\$ 1,290.00	
				Amount to be refunded:	\$
				Amount to be charged:	\$

- a. ☐ A check in the amount of \$ \_\_\_\_\_ to cover the above fees is enclosed.
- b. ☒ Please charge my Deposit Account No. 18-0013 in the amount of \$ 1,290.00 to cover the above fees. A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 18-0013. A duplicate copy of this sheet is enclosed.
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

Toshikatsu Imaizumi  
 RADER, FISHMAN & GRAUER PLLC  
 1233 20th Street, N.W.  
 Suite 501  
 Washington, DC 20036  
 (202) 955-3750 Date: May 18, 2005  
 CUSTOMER NUMBER: 23353

SIGNATURE:

Toshikatsu Imaizumi

NAME

LRA

REGISTRATION NUMBER

10/535192

Docket No.: SEM-0005  
(PATENT)

IC14 Rec'd PCT/PTO 18 MAY 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Kimiyoishi Kobayashi et al.

Application No.: NEW APPLICATION

Confirmation No.: N/A

Filed: May 18, 2005

Art Unit: N/A

For: FUEL CELL OPTIMUM OPERATING  
POINT IN POWER SOURCE DEVICE  
USING FUEL CELL, POWER TRACKING  
SYSTEM, AND POWER SOURCE DEVICE  
HAVING FUEL CELL OPTIMUM  
OPERATING POINT TRACKING SYSTEM

Examiner: Not Yet Assigned

**SUBMISSION OF CERTIFICATE OF LIMITED RECOGNITION UNDER  
37 CFR § 10.9(b) GRANTED TO TOSHIKATSU IMAIZUMI**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Please make of record the certificate of Limited Recognition under 37 C.F.R. § 10.9(b) granted to Toshikatsu Imaizumi, as an employee of the law firm of Rader, Fishman & Grauer PLLC, to represent the applicant(s) of this application and to prosecute this application under 37 C.F.R. § 10.9(a) and (b) as an attorney, wherein the patent applicant(s) is/are client(s) of the firm of Rader, Fishman & Grauer PLLC and wherein the undersigned is a registered practitioner who is a member of the firm of Rader, Fishman & Grauer PLLC and is the attorney or agent of record. A copy of the original document is attached for entry into the record.

Dated: May 18, 2005

Respectfully submitted,

By 

Brian K. Dutton

Registration No.: 47,255  
RADER, FISHMAN & GRAUER PLLC  
1233 20th Street, N.W., Suite 501  
Washington, DC 20036  
(202) 955-3750  
Attorney for Applicant